IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.3078 OF 2005**

Friends of Society & Ors. ..Petitioners

Versus

The Collector of Mumbai & Ors....Respondents

Mr. M.M. Vashi i/b. Shaunak Satpute & Co., for the Petitioners.

Mr. A. Sayed, AGP Respondent Nos. 1 to 8

Mr. Mahendra Bajpai i/b.Ashoka Law Farm, for respondent No.9.

CORAM: **F.I. REBELLO &**

ANOOP V. MOHTA**, JJ.**

DATE: 18TH SEPTEMBER 2006

P.C.

. Rule. Heard forthwith.

2. It is the grievance of the petitioners that the respondent No.2-Additional Collector (Encroachment) has not complied with the order of this Court dated 28th July, 2003. Once there is an order of this Court the Additional Collector (Encroachment) is bound to obey the order and comply with the same. His failure tantamounts to be in contempt of this Court. However, we do not propose to take action considering the order to be passed.

3. In another Writ Petition namely Writ Petition No.478 of 2006 this Court by order dated 19th August, 2006 in respect of some others have issued directions to the Deputy Collector (Encroachment) to decide their representations. Considering that the Additional Collector (Encroachment) is directed to forward all the applications made by the petitioners herein to the Deputy Collector (Encroachment) within four weeks from today. The Deputy Collector (Encroachment) thereafter to decide the said applications in terms as set out by us in our order dated 19th August, 2006. If the petitioners have copies of the said applications they can give copies of the same to the Deputy Collector (Encroachment), who can act on the said copies.

4. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO, J)

(ANOOP V. MOHTA,J).